



ocket: CU-3410

PATENT

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

TYPE OF DECLARATION

This declaration is of the following type: *(check one applicable item below)*

- ☒ original
- ☐ design
- ☐ supplemental

Note: If the Declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.

- ☐ national stage of PCT

Note: If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.

- ☐ divisional
- ☐ continuation
- ☒ continuation-in-part (CIP)

INVENTORSHIP IDENTIFICATION

WARNING: *If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.*

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

TITLE OF INVENTION

PROBE FOR NON-DESTRUCTIVE TESTING

SPECIFICATION IDENTIFICATION

the specification of which: *(complete (a), (b) or (c))*

☐ (a) is attached hereto.

☒ (b) was filed on October 17, 2003 as Serial No. 10/688,755.

Note: Amendments filed after the original papers are deposited with the PTO that contain new matter are not accorded a filing date by being referred to in the Declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental Declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

☐ (c) was described and claimed in PCT International Application No. _____
filed on _____ and as amended under PCT Article 19 on _____
(if any).

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, § 1.56,

(also check the following items, if desired)

☐ and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

☐ in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 CFR 1.98.

PRIORITY CLAIM (35 U.S.C. § 119(a)-(d))

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

☐ (d) no such applications have been filed.

☐ (e) such applications have been filed as follows.

Note: Where item (c) is entered above and the international application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. § 119(a)-(d)**

COUNTRY (OR INDICATE IF PCT	APPLICATION NUMBER	DATE OF FILING (day/month/year)	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> YES NO <input type="checkbox"/>
			<input type="checkbox"/> YES NO <input type="checkbox"/>

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)
(35 U.S.C. § 119(e))**

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

PROVISIONAL APPLICATION NUMBER	FILING DATE

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Note: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CIP APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. § 120.

**ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR
DIVISIONAL, CONTINUATION OR CIP APPLICATION**

(complete this part only if this is a divisional, continuation or CIP application)

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information that is material to the examination of this application, namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS DESIGNATING THE U.S. FOR BENEFIT UNDER 35 USC 120:					
U.S. APPLICATIONS			Status (Check one)		
U.S. APPLICATIONS	U.S. FILING DATE		Patented	Pending	Abandoned
1.					
2.					
3.					
PCT APPLICATIONS DESIGNATING THE U.S.					
PCT APPLICATION NO.	PCT FILING DATE	U.S. SERIAL NOS. ASSIGNED (if any)			
4. AU02/00494	19 April 2002				
5.					
6.					

**35 USC 119 PRIORITY CLAIM, IF ANY,
FOR ABOVE LISTED U.S./PCT APPLICATIONS**

ABOVE APPLICATION NO.	DETAILS OF FOREIGN APPLICATION FROM WHICH PRIORITY CLAIMED UNDER 35 USC 119		
	Country/Application No.	Date of filing (day/month/year)	Date of issue (day/month/year)
1. PCT/AU02/00494	Australia PR 4507	20 April 2001	
2. PCT/AU02/00494	Australia PR 9083	23 November 2001	
3. PCT/AU02/00494	Australia PR 9516	13 December 2001	

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (*list name and registration number*).

Thomas F. Peterson, 24790; Richard J. Streit, 25765; Donald P. Reynolds, 26220; W. Dennis Drehkoff, 27193; Vangelis Economou, 32341; Brian W. Hameder, 45613; Valerie Neymeyer-Tynkov, 46956; Paul B. West, 18947; Joseph H. Handelman, 26179; Peter D. Galloway 27885; John Richards, 31503; Iain C. Baillie, 24090; Richard P. Berg, 28145

☐ Attached, as part of this declaration and power of attorney, is the authorization of the above-named practitioner(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO:

Richard J. Streit
c/o Ladas & Parry
224 South Michigan Avenue
Suite 1200
Chicago, Illinois 60604

DIRECT TELEPHONE CALLS TO:

(*Name and telephone number*)

(312) 427-1300

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Note: Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other documents.

Full name of first joint inventor

Laurence

(Given Name)

PHILIP

(Middle Initial or Name)

DICKINSON

(Family (or Last) Name)

Inventor's signature

Date 5/11/2004

Country of Citizenship Australia

Residence Carlingford, NSW, Australia

Post Office Address 11/96A Baker Street, Carlingford, NSW 2118, Australia

Full name of second joint inventor

Suzanne THWAITES
(Given Name) (Middle Initial or Name) (Family (or Last) Name)
Inventor's signature (deceased - see added page)
Date **Country of Citizenship**
Residence
Post Office Address

Full name of third joint inventor

Stewart WAGNER
(Given Name) (Middle Initial or Name) (Family (or Last) Name)
Inventor's signature S. Wagner
Date 5/01/04 **Country of Citizenship** Australia
Residence Richmond, NSW, Australia
Post Office Address 47 Paget Street, Richmond, NSW 2753, Australia

**ADDED PAGE TO COMBINED DECLARATION & POWER OF ATTORNEY FOR SIGNING
BY ADMINISTRATOR(TRIX), EXECUTOR(TRIX) OR LEGAL REPRESENTATIVE ON
BEHALF OF DECEASED OR INCAPACITATED INVENTOR (37 CFR 1.42 & 1.43)**

I, Vivonne Thwaites
hereby declare that I am a citizen of Australia
residing at 5 Kemp St
14 Beach

and that I am executing and signing the declaration to which this is attached as

(check one)

- ☐ the administrator(trix) of
☒ executor(trix) of the last will and testament of
☐ legal representative (or heirs) of

Full name of deceased inventor

Suzanne THWAITES
(Given Name) (Middle Initial or Name) (Family (or Last) Name)

Country of Citizenship Australia

Residence Lindfield, NSW, Australia

Post Office Address 19 Booraba Avenue, Lindfield, NSW 2070, Australia

That, upon information and belief, I aver those facts that the inventor is required to state.

19.1.04
Date

Vivonne Thwaites
Signature of administrator(trix),
executor(trix), legal representative
(or all heirs)
Vivonne Thwaites

Note: Proof of authority of the administrator(trix), executor(trix) or legal representative must be recorded in the PTO or filed in the application before the grant of the patent 37 CFR 1.44.

Note: Application may be made by the heirs of the inventor if a certificate of the court will establish that they are all the heirs and the estate was not required to appoint an administrator. If the heirs are signing, add lines for all the heirs to sign. MPEP 409.01(a), 6th ed., rev. 3.